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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,¹

USA Securities, LLC,²

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Status And Agenda For August 26,
2008 Hearings**

Hearing Date: August 26, 2008

Hearing Time: 9:30 a.m.

10:30 a.m.

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Agenda for 9:30 a.m.

1. **Motion to Quash Subpoenas and or for Protective Order; Objection to
Notices of 2004 Examination with Certificate of Mailing** Filed by SUSAN WILLIAMS
SCANN on behalf of ROBERT A. RUSSELL [DE 6176]

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 **Response Filed:** Response to *Objection to Notices of 2004 Examinations, Motion*
2 4/25/2008 to *Quash Subpoenas and or for Protective Order and Motion for*
3 *Limitation of Rule 2004 Examinations* Filed by ROBERT R.
4 KINAS on behalf of USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC [DE 6255].

5 **Reply Filed:** Reply with Certificate of Service Filed by SUSAN WILLIAMS
5/02/2008 SCANN on behalf of ROBERT A RUSSELL [DE 6303]

6 **Stipulation Filed:** Stipulation By ROBERT A. RUSSELL and Between USA Capital
7 7/11/2008 Diversified Trust Deed Fund, LLC with *Certificate of Service*
8 Filed by SUSAN WILLIAMS SCANN on behalf of ROBERT A.
RUSSELL [DE 6517]

9 7/14/2008 Stipulation to Continue Hearing on Motion to Quash Subpoenas
10 and or for Protective Order and Motion for Limitation of Rule
2004 Examination [DE 6518]

11 **Status** Continued from 5/08/2008 and 7/14/2008.

12

13 2. Adv. 06-01251-lbr, USACM Liquidating Trust v. Reale, et al., **Motion to**
14 **Compel Motion to Compel Defendant to Respond to Post-Judgment Discovery** Filed by
ERIC D. MADDEN on behalf of USACM LIQUIDATING TRUST [DE 159]

15 **Status:** The USACM Liquidating Trust is in settlement discussions with
16 Mr. Reale, but needs his discovery responses in order to have a
17 meaningful settlement discussion. The parties may reach an
18 agreement on these issues prior to the hearing. If not, however,
they will present any remaining disputes to the Court.

19 **Agenda for 10:30 a.m.**

20

21 1. Adv. 08-01114-lbr, USACM Liquidating Trust v. Shober Consulting, Inc.,
22 **Scheduling Conference** [DE 8]

23 **Complaint Filed:**
24 4/11/08 USACM Liquidating Trust Complaint *To Avoid And Recover Pre-*
25 *Petition Transfers* Filed by USACM Liquidating Trust vs. Shober
26 Consulting, Inc. [DE 1]

Answer Filed: Answer to Complaint *With Certificate Of Service* (Related Doc #
8/8/08 Filed by WILLIAM H. HEATON on behalf of SHOBER
CONSULTING, INC. [DE 14]

Status: Ready to commence discovery. Defendant's answer was filed on
August 8, 2008. Parties have not yet met and conferred, which
must occur before September 8, 2008. The Court may wish to
continue this conference until a November omnibus calendar.

2. Adv. 08-01115-lbr, USACM Liquidating Trust v. Stupak, **Scheduling
Conference** [DE 4]

Complaint Filed: Complaint *To Avoid And Recover Pre-Petition Transfers* Filed by
4/11/08 USACM Liquidating Trust vs. Bob Stupak [DE 1]

Answer Filed: Amended Answer to Complaint (Second) and Counterclaim for Setoff
7/9/08 filed by Richard M. McKnight on behalf of Bob Stupak [DE 16]

Discovery Plan Filed:
7/18/08 Discovery Plan filed on behalf of USACM Liquidating Trust [DE 19]

Status: A Settlement Agreement is being finalized.

3. Adv. 08-01116-lbr, USACM Liquidating Trust v. Greenwald, Pauly Foster &
Miller, **Scheduling Conference** [DE 4]

Complaint Filed: Complaint to Avoid and Recover Pre-Petition Transfers filed by
4/11/08 USACM Liquidating Trust v. Greenwald, Pauly Foster & Miller
[DE 1]

Status: A Settlement Agreement is being finalized.

4. Adv. 08-01117-lbr, USACM Liquidating Trust v. Rentz, **Scheduling
Conference** [DE 4]

Complaint Filed: Complaint to Avoid and Recover Pre-Petition Transfers filed by
4/11/08 USACM Liquidating Trust v. Rentz [DE 1]

Answer Filed: Answer to Complaint and Affirmative Defense filed by David Rentz
5/30/08 [DE 10]

Status: A Settlement Agreement is being finalized.

5. Adv. 08-01118-lbr, USACM Liquidating Trust v. Cadeski, **Scheduling Conference** [DE 4]

Complaint Filed: Complaint to Avoid and Recover Pre-Petition Transfers filed by
4/11/08 USACM Liquidating Trust v. Cadeski [DE 1]

Status: Service of the summons and complaint has not yet been accomplished on the Defendant, a resident of Canada. The Court may wish to continue this hearing to the November omnibus calendar.

6. Adv. 08-01119-lbr, USACM Liquidating Trust v. Russell et al., **Scheduling Conference** [DE 14]

Complaint Filed: *USACM LIQUIDATING TRUST'S ORIGINAL COMPLAINT, CLAIM OBJECTIONS, AND COUNTERCLAIMS* Filed by
4/11/08 USACM Liquidating Trust vs. Robert A Russell, Deborah Russell, Russell A D Development Group, LLC, Freeway 101 USA Investors, LLC, Fwy 101 Loop RAR Investment, LLC, Boise/Gowen, LLC, BG/93 Investments, LLC, Copper Sage Commerce Center, LLC, DER NV Invesco, LLC, SVRB Investments, LLC [DE 1].

Answer Filed: Answer to Complaint *Defendants' Answers to USACM Liquidating Trust's Original Complaint, Claim Objections, and Counterclaims with Certificate of Service* (Related Doc # [1](#)) Filed
6/30/08 by SUSAN WILLIAMS SCANN on behalf of BG/93 INVESTMENTS, LLC, BOISE/GOWEN 93, LLC, COPPER SAGE COMMERCE CENTER, LLC, DER NV INVESCO, LLC, FREEWAY 101 USA INVESTORS, LLC, FWY 101 LOOP RAR INVESTMENT, LLC, DEBORAH RUSSELL, ROBERT A RUSSELL, RUSSELL A D DEVELOPMENT GROUP, LLC, SVRB INVESTMENTS, LLC [DE 38]

Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIC D. MADDEN on behalf of
8/11/08 USACM LIQUIDATING TRUST [DE 39]

1 **Status:** Parties are ready to commence discovery immediately.

2
3 7. Adv. 08-01120-lbr, USACM Liquidating Trust v. Dominic P. Gentile, Ltd.,
4 **Scheduling Conference** [DE 3]

5 **Complaint Filed:** Complaint to Avoid and Recover Pre-Petition Transfers filed by
6 **4/11/08** USACM Liquidating Trust v. Dominic P. Gentile, Ltd. [DE 1]

7 **Amended Complaint**

8 **8/5/08** Amended Complaint to Avoid and Recover Pre-Petition Transfers
9 filed by USACM Liquidating Trust [DE 6]

10 **Status:** The deadline to file an answer or response to the Amended
11 Complaint is September 5, 2008. The USACM Liquidating Trust
12 requests that this hearing be continued to an omnibus calendar in
13 November.

14 9. Adv. 08-01122-lbr, USACM Liquidating Trust v. J.M.K. Investments, Ltd. et
15 al., **Scheduling Conference** [DE 6]

16 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. J.M.K.
17 **4/11/08** Investments, Ltd., John M. Keilly, Mountain West Mortgage LLC
18 [DE 1].

19 **Answer Filed:** *Answer to Complaint* of Defendants J.M.K. INVESTMENTS and
20 **5/13/08** JOHN M. KEILLY with Certificate of Service [DE 14]

21 **5/14/08** *Answer to Complaint* Filed by DAVID A. COLVIN on behalf of
22 MOUNTAIN WEST MORTGAGE LLC [DE 15]

23 **Joint Discovery** *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of
24 **Plan Filed:** J.M.K. INVESTMENTS, LTD., JOHN M KEILLY, MOUNTAIN
25 **6/26/08** WEST MORTGAGE LLC, USACM LIQUIDATING TRUST
26 [DE 17]

Status: Parties are ready to commence discovery immediately.

10. Adv. 08-01123-lbr, USACM Liquidating Trust v. Fiesta Development, Inc. et al., **Scheduling Conference** [DE 7]

Complaint Filed: *Complaint Filed* by USACM Liquidating Trust vs. Fiesta Development, Inc., Ashby USA, LLC, Random Developments, LLC, Richard K Ashby [DE 1].

Answer Filed: *Answer to Complaint with Certificate of Service* Filed by RICHARD F. HOLLEY on behalf of RICHARD K ASHBY, ASHBY USA, LLC, FIESTA DEVELOPMENT, INC., RANDOM DEVELOPMENTS, LLC [DE 17]

Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of USACM LIQUIDATING TRUST [DE 18]

Status: Parties are ready to commence discovery immediately.

11. Adv. 08-01124-lbr, USACM Liquidating Trust v. Homes for America Holdings, Inc. et al., **Scheduling Conference** [DE 7]

Complaint Filed: *Complaint* Filed by USACM Liquidating Trust vs. Homes For America Holdings, Inc., HFAH Clear Lake, LLC, One Point Street, Inc., Mediterranee-HFAH, LLC [DE 1]

Answer Filed: *Answer to USACM Liquidating Trust's Original Complaint* Filed by VICTORIA L NELSON on behalf of HFAH CLEAR LAKE, LLC, HOMES FOR AMERICA HOLDINGS, INC., MEDITERRANEE-HFAH, LLC, ONE POINT STREET, INC. [DE 17]

Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of USACM LIQUIDATING TRUST [DE 19]

Status: Parties are ready to commence discovery immediately.

12. Adv. 08-01125-lbr, USACM Liquidating Trust v. Eagle Ranch, LLC et al.,
Scheduling Conference [DE 10]

Complaint Filed: *Complaint* Filed by USACM Liquidating Trust vs. Monaco
4/11/08 Diversified Corporation, Anthony Monaco, Susan K Monaco,
Eagle Ranch Residential, LLC, Eagle Ranch, LLC, Willowbrook
Residential, LLC, Brentwood 128, LLC, Ravenswood Apple
Valley, LLC [DE 1]

Answer Filed: *Answer to USACM Liquidating Trust's Original Complaint;*
6/30/08 *Request for Jury Trial with Certificate of Service* Filed by
RICHARD F. HOLLEY on behalf of ANTHONY MONACO,
SUSAN K MONACO, MONACO DIVERSIFIED
CORPORATION [DE 31]

7/01/08 *Amended Answer to USACM Liquidating Trust's Original*
Complaint; Request for Jury Trial with Certificate of Service
Filed by RICHARD F. HOLLEY on behalf of ANTHONY
MONACO, SUSAN K MONACO, MONACO DIVERSIFIED
CORPORATION [DE 32]

Joint Discovery *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of
Plan Filed: USACM LIQUIDATING TRUST [DE 43]
8/01/08

Request for Entry *Request for Entry of Default* filed by ERIN E. JONES on behalf
of Default Filed: of USACM LIQUIDATING TRUST against EAGLE RANCH
8/20/08 RESIDENTIAL, LLC, EAGLE RANCH, LLC,
WILLOWBROOK RESIDENTIAL, LLC, BRENTWOOD 128,
LLC, RAVENSWOOD APPLE VALLEY, LLC. [DE 44]

Status: USACM Liquidating Trust, Anthony Monaco, Susan K. Monaco,
and Monaco Diversified Corporation are ready to commence
discovery immediately.

Defendants, Eagle Ranch, LLC, Eagle Ranch Residential, LLC,
Willowbrook Residential, LLC, Brentwood 128, LLC, and
Ravenswood Apple Valley, LLC have failed to answer or file any
responsive pleadings in this adversary proceeding. The Trust
intends seeks a default against these defendants [DE 44].

1 13. Adv. 08-01126-lbr, USACM Liquidating Trust v. James Cioffi Architect
2 Corporation, **Scheduling Conference** [DE 4]

3 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. James Cioffi
4 **4/11/08** Architect Corporation [DE 1]

5 **Status:** Parties have reached a settlement of the Trust's claims. The Trust
6 will seek to dismiss the claims in this adversary proceeding.

7 14. Adv. 08-01127-lbr, USACM Liquidating Trust v. Amesburyport Corporation,
8 **Scheduling Conference** [DE 4]

9 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. Amesburyport
10 **4/11/08** Corporation [DE 1]

11 **Answer Filed:** *Answer of Defendant Amesburyport Corporation* [DE 8]
12 **6/24/08**

13 **Joint Discovery** *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of
14 **Plan Filed:** USACM LIQUIDATING TRUST [DE 9]
15 **8/19/08**

16 **Status:** Parties are ready to commence discovery immediately.

17 15. Adv. 08-01128-lbr, USACM Liquidating Trust v. K & S Properties,
18 **Scheduling Conference** [DE 4]

19 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. K & S
20 **4/11/08** Properties [DE 1]

21 **Stipulated** *Stipulation of Dismissal* Filed by ERIN E. JONES on behalf of
22 **Dismissal Filed:** USACM LIQUIDATING TRUST [DE 8]
23 **8/20/08**

24 **Status:** Upon receipt of the Complaint, Defendant immediately contacted
25 counsel for the Trust and provided documentation which was
26 previously unavailable to the Trust which evidenced a complete
defense to the Trust's claims. This Court's order granting the
stipulation for dismissal was filed on August 22, 2008 at DE 9.

1 16. Adv. 08-01129-lbr, USACM Liquidating Trust v. Tanamera Resort Partners,
2 LLC, **Scheduling Conference** [DE 4]

3 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. Tanamera
4 **4/11/08** Resort Partners, LLC [DE 1]

5 **Answer Filed:** *Answer to Complaint (Jury Trial Demanded) With Certificate Of*
6 **5/13/08** *Service* Filed by LEIGH T GODDARD on behalf of
7 TANAMERA RESORT PARTNERS, LLC [DE 8]

8 **Joint Discovery** *Amended Joint Discovery Plan* Filed by ERIN E. JONES on
9 **Plan Filed:** behalf of TANAMERA RESORT PARTNERS, LLC, USACM
10 **6/26/08** LIQUIDATING TRUST [DE 14]

11 **Status:** Parties exchanged Federal Rule of Civil Procedure 26(a)(1)
12 disclosures on July 31, 2008. Parties are ready to commence
13 discovery immediately.

14 17. Adv. 08-01130-lbr, USACM Liquidating Trust v. Phillips USA LLC,
15 **Scheduling Conference** [DE 4]

16 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. Phillips USA
17 **4/11/08** LLC [DE 1]

18 **Request for Entry** *Request for Entry of Default* filed by ERIN E. JONES on behalf
19 **of Default Filed:** of USACM LIQUIDATING TRUST against PHILLIPS USA,
20 **8/20/08** LLC [DE 8]

21 **Status:** Defendant has failed to answer or file any responsive pleadings in
22 this adversary proceeding. The Trust seeks a default against
23 PHILLIPS USA LLC [DE 8].

24 18. Adv. 08-01131-lbr, USACM Liquidating Trust v. Bingham McCutchen, LLP,
25 **Scheduling Conference** [DE 4]

26 **Complaint Filed:** *Complaint* Filed by USACM Liquidating Trust vs. Bingham
27 **4/11/08** McCutchen, LLP [DE 1]

28 **Answer Filed:** *Answer to Complaint* Filed by RYAN J. WORKS on behalf of
29 **6/16/08** BINGHAM MCCUTCHEN, LLP [DE 8]

30 **Joint Discovery** *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of
31 **Plan Filed:** USACM LIQUIDATING TRUST [DE 16]
32 **8/04/08**

Status: Parties are ready to commence discovery immediately. Defendant may seek to withdraw the reference to United States District Court, which the Trustee notes is not timely under this Court's Local Rule 5011.

19. Adv. 08-01132-lbr, USACM Liquidating Trust v. Stanley Fulton, **Scheduling Conference** [DE 10]

Complaint Filed: Complaint Filed by USA Capital Diversified Trust Deed Fund LLC vs. Stanley E Fulton [DE 1]
4/12/08

Answer Filed: *DEFENDANT STANLEY E. FULTON'S ANSWER TO USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC'S ORIGINAL COMPLAINT Certificate of Service* Filed by TIMOTHY R. O'REILLY on behalf of STANLEY E FULTON [DE 8]
6/30/08

Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of USACM LIQUIDATING TRUST [DE 9]
8/19/08

Status: Parties are ready to commence discovery immediately.

20. Adv. 08-01133-lbr, USACM Liquidating Trust v. Kathryn Petersen et al., **Scheduling Conference** [DE 10]

Complaint Filed: Complaint Filed by USA Capital Diversified Trust Deed Fund, LLC vs. Kathryn L Petersen, Kathryn L. Petersen Living Trust, KLP Trust dtd 7/15/99, Specialized Development Tahoe, LLC [DE 1]
4/12/08

Answer Filed: Answer to Complaint *DEFENDANT KATHRYN PETERSEN, INDIVIDUALLY AND AS TRUSTEE OF THE KATHRYN L. PETERSEN LIVING TRUST AND TRUSTEE OF THE KLP DTD 7/15/99 AND SPECIALIZED DEVELOPMENT TAHOE, LLC'S ANSWER TO USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC'S ORIGINAL COMPLAINT* Filed by KATHRYN L. PETERSEN LIVING TRUST, KLP TRUST DTD 7/15/99, KATHRYN L PETERSEN, SPECIALIZED DEVELOPMENT TAHOE, LLC [DE 17]
6/30/08



Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of USACM LIQUIDATING TRUST [DE 23]
8/19/08

Status: Parties are ready to commence discovery immediately.

21. Adv. 08-01134-lbr, USACM Liquidating Trust v. Petersen et al., **Scheduling Conference** [DE 10]

Complaint Filed: Complaint Filed by USACM Liquidating Trust, USA Capital Diversified Trust Deed Fund, LLC vs. Mary Petersen, Mary Petersen Family Trust dtd 8/12/98, Michael D. Petersen, Michael D. Petersen Family Trust dtd 8/12/98, Kathryn L. Petersen, Kathryn L. Petersen Living Trust, KLP Trust dtd 7/15/99 [DE 1]
4/12/08

Answer Filed: Answer to Complaint *DEFENDANT MICHAEL PETERSEN, INDIVIDUALLY AND AS TRUSTEE OF THE MICHAEL PETERSEN FAMILY TRUST ANSWER TO USACM LIQUIDATING TRUST'S AND DTDF'S ORIGINAL COMPLAINT AND CLAIM OBJECTION* Filed by MICHAEL D PETERSEN FAMILY TRUST DTD 8/12/98, MICHAEL D PETERSEN [DE 33]
6/30/08

Answer to Complaint *DEFENDANT MARY PETERSEN, INDIVIDUALLY AND AS TRUSTEE OF THE MARY PETERSEN FAMILY TRUST ANSWER TO USACM LIQUIDATING TRUST'S AND DTDF'S ORIGINAL COMPLAINT AND CLAIM OBJECTION* Filed by MARY PETERSEN FAMILY TRUST DTD 8/12/98, MARY PETERSEN [DE 34]
6/30/08

Answer to Complaint *DEFENDANT KATHRYN PETERSEN, INDIVIDUALLY AND AS TRUSTEE OF THE KATHRYN L. PETERSEN LIVING TRUST AND THE KLP TRUST ANSWER TO USACM LIQUIDATING TRUST'S AND DTDF'S ORIGINAL COMPLAINT AND CLAIM OBJECTION* Filed by KATHRYN L. PETERSEN LIVING TRUST, KLP TRUST DTD 7/15/99, KATHRYN L PETERSEN [DE 35]
6/30/08

Joint Discovery Plan Filed: *Joint Discovery Plan* Filed by ERIN E. JONES on behalf of USACM LIQUIDATING TRUST [DE 41]
8/19/08

Status: Parties are ready to commence discovery immediately.

22. Adv. 08-01135-lbr, USACM Liquidating Trust v. Wells Fargo Bank, N.A.,
Scheduling Conference [DE 4]

Complaint Filed: Complaint Filed by USACM Liquidating Trust, USA Capital
4/12/08 Diversified Trust Deed Fund, LLC, USA Capital First Trust Deed
Fund, LLC vs. Wells Fargo Bank, N.A. [DE 1]

Motion to Dismiss Motion to Dismiss Adversary Proceeding *For Lack of Subject*
Filed: *Matter Jurisdiction with Certificate of Service* Filed by WELLS
5/28/08 FARGO BANK, N.A. [DE 8]

Status: No further action to be taken until ruling on Motion to Dismiss.

23. Adv. 08-01135-lbr, USACM Liquidating Trust v. Wells Fargo Bank, N.A.,
Motion to Dismiss Adversary Proceeding *For Lack of Subject Matter*
Jurisdiction with Certificate of Service Filed by KENT F. LARSEN on behalf
of WELLS FARGO BANK, N.A [DE 8]

Stipulation Filed: Stipulation By USA CAPITAL DIVERSIFIED TRUST DEED
6/16/2008 FUND, LLC, USA CAPITAL FIRST TRUST DEED FUND,
LLC, USACM LIQUIDATING TRUST and Between Defendant
WELLS FARGO BANK, N.A. and Proposed Order to Enlarge
Time to File Response Filed by LISA TSAI on behalf of USA
CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, USA
CAPITAL FIRST TRUST DEED FUND, LLC, USACM
LIQUIDATING TRUST [DE 12]

6/19/2008 Stipulation and Order to Enlarge Time to File Response to
Defendant's Motion to Dismiss (Related document(s))[12]
Stipulation, , filed by Plaintiff USA CAPITAL DIVERSIFIED
TRUST DEED FUND, LLC, Plaintiff USA CAPITAL FIRST
TRUST DEED FUND, LLC, Plaintiff USACM LIQUIDATING
TRUST.) [DE 13]

6/25/2008 Stipulation By USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC, USA CAPITAL FIRST TRUST DEED FUND,
LLC, USACM LIQUIDATING TRUST and Between Defendant
WELLS FARGO BANK, N.A. *and Proposed Order to Enlarge*
Briefing Schedule and Continue Hearing Date Filed by LISA
TSAI on behalf of USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC, USA CAPITAL FIRST TRUST DEED
FUND, LLC, USACM LIQUIDATING TRUST [DE 14]

1 7/02/2008 Amended Stipulation By USA CAPITAL DIVERSIFIED TRUST
2 DEED FUND, LLC, USA CAPITAL FIRST TRUST DEED
3 FUND, LLC, USACM LIQUIDATING TRUST and Between
4 Defendant WELLS FARGO BANK, N.A. *and Proposed Order to*
5 *Enlarge Briefing Schedule and Continue Hearing Date* Filed by
6 LISA TSAI on behalf of USA CAPITAL DIVERSIFIED TRUST
7 DEED FUND, LLC, USA CAPITAL FIRST TRUST DEED
8 FUND, LLC, USACM LIQUIDATING TRUST [DE 15]
9
10 7/08/2008 Amended Stipulation and Order to Enlarge Briefing Schedule and
11 Continue Hearing Date on Defendant's Motion to Dismiss filed by
12 Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND,
13 LLC, Plaintiff USA CAPITAL FIRST TRUST DEED FUND,
14 LLC, Plaintiff USACM LIQUIDATING TRUST [DE 16]
15
16 7/21/2008 Response to Defendant's Motion to Dismiss for Lack of Subject
17 Matter Jurisdiction Filed by ERIC D. MADDEN on behalf of
18 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
19 USA CAPITAL FIRST TRUST DEED FUND, LLC, USACM
20 LIQUIDATING TRUST [DE 18]
21
22 7/31/2008 Stipulation and Proposed Order to Enlarge Time to File Reply to
23 Response to Defendant's Motion to Dismiss for Lack of Subject
24 Matter Jurisdiction, filed by Plaintiff USA CAPITAL
25 DIVERSIFIED TRUST DEED FUND, LLC, Plaintiff USA
26 CAPITAL FIRST TRUST DEED FUND, LLC, Plaintiff USACM
LIQUIDATING TRUST [DE 20]
8/13/08 Reply with Certificate of Service to Response to Motion to
Dismiss Plaintiffs' Original Complaint for Lack of Subject Matter
Jurisdiction Filed by KENT F. LARSEN on behalf of WELLS
FARGO BANK, N.A.

Status: Continued from 7/14/2008 – Oral argument to be commenced.

Dated: August 22, 2008.

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

Marvin Ruth, NV 10979

Counsel for USACM Liquidating Trust

LEWIS
AND
ROCA
LLP
LAWYERS

PROOF OF SERVICE

COPY of the aforementioned sent
via e-mail or U.S. First Class Mail on
August 22, 2008 to the parties listed on
Post-Effective Official Service List for
Limited Notice No. 4 Dated January 8,
2008.

/s/ Marilyn Schoenike
Marilyn Schoenike
Lewis and Roca LLP